

**REMARKS**

Upon entry of the instant Amendment, claims 1-14, 27 and 28 will be pending in the application. By this amendment, claims 15-26 are canceled, claims 1, 9, 10 and 27 will have been amended, and claim 28 is added. Support for the amendment to claims 1 and 27 are provided in at least paragraph [0143] of the instant published patent application. Support for new claim 28 is found on paragraphs [0033], [0040], [0058] and [0144] of the published patent application. No new matter is added. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

***Restriction Requirement***

Applicant acknowledges the restriction requirement and the provisional election of claims 1-14 and 27 without traverse. Claims 15-26 have been withdrawn by the Examiner. By this Amendment, the withdrawn claims are canceled. However, Applicant expressly reserves the right to file one or more divisional applications directed to the withdrawn claims.

***Allowable Claims***

Applicant appreciates the indication that claims 9-14 contain allowable subject matter and would be allowable if presented in independent form. Accordingly, as Applicant has presented claims 9 and 10 in independent form, Applicant respectfully

requests that claims 9-14 be indicated as allowed. Additionally, Applicant submits that all pending claims are in condition for allowance for the following reasons.

***Drawing Objection***

In the attached form PTO-948, the drawings were objected to because the pads shown in Figs. 1, 2 and 7 were not labeled with a reference number and because Fig. 3 has unclear white oblong portions. Applicant submits that the drawing objections are improper.

In particular, Applicant submits that because the pads shown in Figs. 1, 2 and 7 are not described in the instant specification with reference numbers, there is no requirement to do so in the drawings. Therefore, the drawings do not need to be amended to show such reference numbers. Furthermore, because the white oblong sections in the drawings are intentional and were also included in the originally filed drawings, Fig. 3 also does not need to be amended.

Accordingly, Applicant respectfully requests that the objections noted in the form PTO-948 be withdrawn.

***Claim Objections***

Claims 1-14 and 27 were objected to because the Examiner believes that certain of the claims require some additional language.

While Applicant believes that the claims are not improper and contrary to current USPTO rules, by this Amendment, Applicant submits that this basis of objection has

been rendered moot. Applicant notes, in particular, that the above-noted claims have been amended in a manner which is believed to be consistent with the Examiner's comments.

With regard to the Examiner's assertion that the terms BP and ROX need to be spelled out in the claims, Applicant notes that one having ordinary skill in the art would understand what is meant by these terms by reviewing, e.g., paragraph [0115] of the instant published US application.

With regard to the Examiner's assertion that claims 12-14 are in improper dependent form, Applicant notes that the Examiner has failed to identify any specific language in Rule 1.75 which is violated by these claims. Furthermore, while the Examiner has alleged that certain language in claims 12 and 13 is improper because corresponding language is not recited in claims 1 and 9, the Examiner has failed to identify language in USPTO rules which is violated by the noted language.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the objection to these claims.

### **35 U.S.C. § 102 Rejection**

Claims 1, 5 and 27 were rejected under 35 U.S.C. § 102(b) for being allegedly anticipated by U.S. Patent No. 5,901,065 to GURUSWAMY et al.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. § 102, a single prior art reference must disclose each and every element as set forth in the subject claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2

USPQ 2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that a *prima facie* case of anticipation cannot be established because GURUSWAMY fails to teach each and every element of the claims.

More particularly, amended independent claim 1 recites, *inter alia*,

controlling a global placement of the at least one functional circuit block relative to injection sources in order to optimize chip performance.

Additionally, amended independent claim 27 recites, *inter alia*,

computer program for controlling a global placement of the at least one functional circuit block relative to injection sources in order to optimize chip performance.

Applicant submits that GURUSWAMY does not disclose or even suggest at least these features. Applicant acknowledges that GURUSWAMY discloses a system for placing ties and connecting elements within a circuit (see Title). Applicant also acknowledges that GURUSWAMY discloses that the system aims to prevent latchup (see Abstract). However, it is not apparent that the disclosed method or system is specifically designed to control a global placement of one or more functional circuit blocks relative to injection sources in order to optimize chip performance. Nor has the Examiner identified any language in GURUSWAMY which discloses or suggest this feature.

Applicant emphasizes that whereas the method and system of the invention improves latchup tolerance by addressing global as well as local interactions (see paragraphs [0033] and [0034] of the instant published US application) and the placement of functional blocks relative to injection sources, GURUSWAMY appears to

be concerned only with local interactions and the placement of ties and connection elements in optimum locations (see col. 10, lines 58-67).

Thus, Applicant respectfully submits that independent claims 1 and 27, and claims 2-8, which depend from claim 1 are allowable.

Accordingly, Applicant respectfully requests that the above-noted rejection under 35 U.S.C. § 102(b) should be withdrawn.

### **35 U.S.C. § 103 Rejection**

Claims 2-4 and 6-8 were rejected under 35 U.S.C. § 103(a) for being allegedly unpatentable over GURUSWAMY in view of the Article entitled "Layout Design and Verification for Cell Library to Improve EDS/Latchup Reliability in Deep-Submicron CMOS Technology" by Ming-Dou KER et al. This rejection is respectfully traversed.

The Examiner acknowledges that GURUSWAMY fails to disclose, among other things, placing the NFET and PFET density of a given circuit block away from the source of undershoot and overshoot. However, the Examiner explains, that such features are taught by KER and that it would have been obvious to combine the teachings of these documents. Applicant respectfully submits that a *prima facie* case of obviousness has not been established as the applied references fail to teach each and every element of the claims.

As explained above, GURUSWAMY fails to disclose or suggest the combination of features recited in at least independent claim 1.

Furthermore, while it is apparent that KER discloses a system for reducing latchup in circuit design (see Introduction), it is not apparent that the disclosed method or system is specifically designed to control a global placement of one or more functional circuit blocks relative to injection sources in order to optimize chip performance. Nor has the Examiner identified any language in KER which discloses or suggest this feature.

Accordingly, Applicant submits that no proper combination of GURUSWAMY and KER discloses or suggests the combination of features recited in at least claim 1.

Moreover, in addition to failing to disclose the combination of features recited in the above-noted claim 1, Applicant submits no proper combination of these documents discloses or suggests the combination of features recited in dependent claims 2-4 and 6-8, which also respectfully contain all of the features of claim 1.

Accordingly, Applicant respectfully submits that the above-noted rejection under 35 U.S.C. § 103(a) should be withdrawn.

***New Claim is also Allowable***

Applicant submits that the new claim 28 is allowable over the applied art of record. Specifically, claim 28 depends from claim 1 which is believed to be allowable. Additionally, claim 28 recites a combination of features which are clearly not disclosed or suggested by the applied art of record. Accordingly, Applicant respectfully requests consideration of this claim and further requests that the above-noted claim be indicated as being allowable.

***Comments on Reasons for Allowance***

In response to the Statement of Reasons for Allowance set forth in the Office Action, Applicant wishes to clarify the record with respect to the basis for the patentability of the indicated claims in the present application. In this regard, while Applicant does not disagree with the Examiner's indication that certain identified features are not disclosed by the references, Applicant submits that the claims in the present application recite a combination of features, and that the basis for patentability of these claims is based on the totality of the recited features.

**CONCLUSION**

In view of the foregoing amendments and remarks, Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Any fees required for consideration of the instant response are hereby authorized to be charged to our Deposit Account No. 09-0458.

Respectfully submitted,  
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